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OFFICE OF PETITIONS

In re Application of :
Cyril Allouche :
Application No. 10/055,389 :
Filed: January 23, 2002 :
Attorney Docket Number:FR 010003: ON PETITION

This is a decision on the Petition Under 37 CFR 1.181(a) to Withdraw Holding of Abandonment, filed March 16, 2006.

This Petition is hereby granted.

A non-final Office action was mailed January 6, 2005. Applicant responded to the Office action on May 10, 2005; however, the Amendment filed in response to the Office action was non-compliant. Applicant was so notified in a Notice of Noncompliant Amendment mailed May 18, 2005. Applicant was given one (1) month to reply to the Notice. No reply having been received, the application became abandoned June 19, 2005. A Notice of Abandonment was mailed January 24, 2006.

Applicant files the instant petition and avers that the Notice was not received.

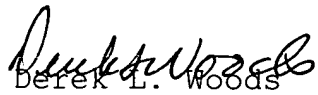
With the instant petition, Petitioner has demonstrated non-receipt of the Notice by a preponderance of the evidence.

In view of the foregoing, the petition is granted. The holding of abandonment is hereby withdrawn.

No fee has been charged and none is due.

With the instant petition Applicant has filed a response to the Notice. The application will be referred to Technology Center Art Unit 2623 for processing of the response to the Notice.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.

A handwritten signature in cursive script, appearing to read "Derek L. Woods".

Derek L. Woods
Attorney
Office of Petitions